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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,302	06/12/2000	Ryan A. Danner	CIS00-2410	5363

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EXAMINER	
BOUTAH, ALINA A	

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/592,302	DANNER ET AL.	
	Examiner	Art Unit	
	Alina N Boutah	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 August 2004* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,6,9-16,19 and 22-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 6, 9-16, 19 and 22-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Amendment

This action is in response to Applicant's amendment filed August 28, 2004. Claims 1-6, 9-19, and 22-41 were pending. Claims 3-5 17-18 have been cancelled. Claims 42-45 have been newly added. Claims 1, 2, 6, 9-16, 19, and 22-45 are presented for examination.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 27, 2004 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 44 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which

it is most nearly connected, to make and/or use the invention. It is unclear as to what Applicant is intended by "case-logic."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 6, 9-16, 19, and 22-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication No. 2002/0164000 by Cohen et al (hereby Cohen) in view of USPN 6,501,832 issued to Saylor et al (hereby Saylor).

(Amended) Regarding claim 1, Cohen teaches in a server, a method for providing information suitable for audio output, the method comprising:

receiving a first set of information over a network based on a request for the first set of information [Abstract; 0011-0012], receiving the first set of information further comprising;

receiving speech information specifying the first set of information [0026];

generating a text request for the first set of information based on an acoustic speech recognition (ASR) technique applied to the speech information [figure 6; 0049-0050], generating including interpreting at least one primitive construct based on the speech information and generating at least one additional primitive construct based on a request for a user-defined command [0011, and 0022], and submitting the text request over the network [0049];

accessing a marked document in response to receiving the first set of information [0035], accessing the document further including determining an identity of the request for the first set of information and accessing the document based on the identity of the request wherein the identity of the request is based on at least one of an identifier for an originator of the request and an identifier for a destination of the request [0030; 0035]; and

generating a second set of information suitable for audio output based on the first set of information and the tagged document [Abstract; 0011-0012].

Cohen fails to explicitly teach accessing a "tagged" document. Saylor teaches accessing a tagged document (col. 18, lines 45-65). At the time the invention was made, one of ordinary skill in the art would have been motivated to access a tagged document in order to facilitate user in obtaining the specified document.

Regarding claim 2, Cohen teaches the method of claim 1, wherein: the step of receiving the first set of information comprises receiving a web page based on a Uniform Resource Locator (URL) request for the web page [Abstract; 0011-0012].

However, Cohen fails to expressly teach: the step of accessing the tagged document comprises accessing an Extensible Markup Language (XML) document; and the step of generating the second set of information comprises generating filtered web content suitable for audio output based on the web page and the XML document.

Saylor teaches the step of accessing the tagged document comprising accessing an Extensible Markup Language (XML) document (col. 2, lines 4-16; col. 4, lines 46-58; col. 8, lines 14-36; col. 10, lines 17-28); and the step of generating the second set of information

comprising generating filtered web content suitable for audio output based on the web page and the XML document (col. 8, lines 14-36).

At the time the invention was made, one of ordinary skill in the art would have been motivated to combine the teaching of Cohen with the teaching of Saylor by incorporating the use of XML-based audio output in order to make it possible users to interact with web servers by telephones, thus allowing users to access information without having to purchase new equipments (col. 1, lines 40-50).

Regarding claim 6, Cohen teaches the method of claim 3, wherein the step of generating the text request comprises applying a case-logic technique to the speech information [0022].

Regarding claim 9, Cohen teaches the method of claim 1, wherein the step of generating the second set of information suitable for audio output comprises: selecting at least one portion of the first set of information that is suitable for audio output; and generating the second set of information based on selecting the east least one portion of the first set of information [0035].

Regarding claim 10, Cohen teaches the method of claim 1, wherein the step of generating the second set of information suitable for audio output comprises: generating text data suitable for audio output based on the first set of information and the tagged document, and generating audio based on the text data [0035-0036].

Regarding claim 11, Cohen teaches the method of claim 10, wherein the step of generating the text data suitable for audio output comprises generating at least one response and the step of generating the audio data based on the text data comprises applying a text-to-speech (TTS) technique to the at least one response [0022].

Regarding claim 12, Cohen teaches the method of claim 1 wherein the step of accessing the tagged document is performed based on the request for the first set of information and approximately concurrently with the step of receiving the first set of information [0035].

Regarding claim 13, Cohen teaches the method of claim 1, wherein each of the first set of information, the tagged document and the second set of information is at lest one of a Hypertext Markup Language (HTML) page, and Extensible Markup Language (XML) page, a Virtual Reality Modeling Language (VRML) page, and a Standard Generic Markup Language (SGML) page [0034].

Regarding claim 14, the combination of Cohen and Saylor teaches a system for providing information suitable for audio output, the system comprising: a document database configured for storing a polarity of tagged documents (Saylor: figure 1); and a server comprising an executable resources, wherein the executable resource performs functions similar to those of claim 1 (please see claim 1 rejection above).

Claim 15 is similar to claim 2, therefore is also rejected under the same rationale.

Regarding claim 16, Cohen teaches the method of claim 14, wherein the executable resource receives speech information specifying the first set of information [0026]; generates a text request for the first set of information based on an acoustic speech recognition technique applied to the speech information [figure 6; 0049-0050], and submitting the text request over the network [0049].

Claim 19 is similar to claim 6, therefore is also rejected under the same rationale.

Claims 22-26 are similar to claim 9-13,respectively, therefore are also rejected under the same rationale.

Claims 27-28, 29-30, 31-32 are similar to claims 1 and 2, respectively, therefore are also rejected under the same rationale.

Regarding claim 33, the combination of Cohen and Saylor teaches a method for navigating a web by voice in a server configured for executing voice web applications, the method comprising limitations similar to those of claims 1 and 2 combined, therefore are rejected under the same rationale.

Claim 34 is similar to claim 16, therefore is rejected under the same rationale.

Claims 35-37 are similar to claim 1, therefore are rejected under the same rationale.

Regarding claim 38, Cohen teaches the method of claim 1 wherein the method of accessing a tagged document comprises accessing a plurality of tagged documents, the plurality of tagged documents to define user interface logistics and operate the server [0035]; and wherein the method of generating a second set of information comprises generating a second set of information suitable for audio input based on the first set of information and the plurality of tagged documents [Abstract; 0011-0012; 0035].

Regarding claim 39, Cohen teaches the method of claim 38 wherein the plurality of tagged documents includes at least one menu document, at least one activity document, at least one decision document and at least one application state document [figures 1-6].

Regarding claim 40, Cohen teaches the method of claim 38 wherein the plurality of tagged documents includes at least one documents to be applied to the first set of information to generate the second set of information suitable for audio output [Abstract; 0011-0012; 0035].

Regarding claim 41, Cohen teaches the method of claim 1 wherein the step of generating the second set of information further comprises the step of executing voice application operations from the tagged document to generate the information suitable for audio output [Abstract].

(New) Regarding claim 42, Cohen teaches a method for voice-based navigation in a server configured for executing voice web applications comprising:

receiving a voice-based request to navigate the web from an audio communication device operable to provide the voice-based request in response to a menu generated based on a specific application-defining document operable to provide parameters and options, associating the voice-based request with the specific application-defining document, searching for primitive constructs in the voice-based request, constructing a text-based request based on the primitive constructs identified from the voice-based request [abstract, 0026, figure 6];

generating the text-based request to navigate the web based on the primitive constructs in the voice-based request from at least one of a database and a proxy server; [0022]

requesting the web page using the text-based web navigation request by posting a generated URL to a web server to execute the request for the web page [0022];

receiving the requested web page from the web server [0022];

accessing a filtering document page from an application document database using the application-defining document associated with the voice-based request, the filtering document page employing a markup language and operable to filter the retrieved web page to provide generated content suitable for audio output, the requesting the web page and accessing the filtering document occurring in a substantially concurrent time frame, generating the filtered web content from the retrieved web page and the filtering document page indicated by the application-defining document associated with the voice-based request [0054];

generating at least one audio output file based on the filtered web content via a text-to-speech (TTS) technique operable to convert the text in the filtered web content to audio output files, and sending the signals via a network connection to the user audio communication device [0022].

(New) Regarding claim 43, Cohen teaches the method of claim 42 wherein the voice-based request is operative to identify a particular user via a user identifier number indicative of an LDAP resource having personal data and class of data information on individual users [0011].

(New) Regarding claim 44, Cohen teaches the method of claim 42 wherein a web navigation application uses a case-logic approach to interpret the primitive constructs and determine web navigation commands are included in the text-based request [0022].

(New) Regarding claim 45, Cohen teaches the method of claim 42 further comprising sending the filtered web content in an HTML page to an intermediary proxy browser operable to generate signals, which the user audio communication device converts to audible sound [0034].

Response to Arguments

Applicant's arguments filed August 28, 2004 have been fully considered but they are not persuasive.

Applicant argues that neither Cohen nor Saylor teaches, alone or in combination, teaches "generating a text request for the first set of information based on an acoustic speech recognition (ASR) technique applied to the speech information, in which generating including interpreting at least one primitive construct based on the speech information and generating at least one additional primitive construct based on a request for a user-defined command."

The Patent Office respectfully submits that this is taught in the abstract, paragraphs 0011, 0024, 0030, and 0034. Specifically, Cohen's invention allows users to audibly and interactively

browse through a network of audio information by saying the name of a hyperlink (abstract), which is interpreted as "primitive construct based on a request for a user-defined command." Cohen also discloses an acoustic model memory, which uses converts user's speech signal into text [0050]. For the reasons stated, the Patent Office respectfully submits that Cohen teaches the argued limitation, and the rejection is sustained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is 571-272-3908. The examiner can normally be reached on Monday-Thursday (9:00 am - 7:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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